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DEPT FOR EUR/SCE AND PRM/ECA (MATTHEW R JOHNSON)

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SUBJECT: MONTENEGRO'S KOSOVO IDPS: STILL IN LIMBO

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PODGORICA 00000037 001.2 OF 003

1. (SBU) SUMMARY: Recent statements by President Vujanovic have drawn attention to the more than 16,000 refugees from Kosovo - called internally displaced persons (IDPs) by the GoM - still on Montenegrin soil. Because of security, legal, and economic concerns, very few have returned to Kosovo since 2001. While some ethnic Montenegrins and Serbs have integrated into Montenegrin society, a large number of IDPs, particularly Roma, live in miserable conditions. Almost none of the IDPs have seen their status legalized. END SUMMARY.

Vujanovic Draws Attention to Sensitive Issue

2. (SBU) President Vujanovic told the press on January 5 that prior to the establishment of diplomatic relations with Montenegro, the GoK should grant more rights to Montenegrins and "establish conditions" for the return of non-Albanian IDPs from Kosovo currently residing in Montenegro. The GoM has assured the Ambassador that it is not seeking to establish preconditions for relations with Kosovo (reftel), but the President's statement did draw attention to the IDP issue.

3. (SBU) While the GoM refers to these individuals as IDPs - which stems from when Kosovo, Montenegro, and Serbia were part of Yugoslavia and then the State Union of Serbia and Montenegro - now that Montenegro and Kosovo are independent, the individuals should more accurately be termed "refugees." However, we use "IDP" here because this is the GoM's legal designation of their status; the GoM also designates certain individuals - such as those who fled violence in Bosnia and Croatia during the 1990s - as refugees.

Scope of the Problem~

4. (SBU) During 1998 and 1999, more than 50,000 individuals fleeing violence in Kosovo entered Montenegro. The majority were Kosovo Albanians, most of whom returned to Kosovo after the war. A sizeable number of non-Albanian IDPs remained in

Montenegro, however, unable or unwilling to return to Kosovo.

¶5. (U) The Montenegrin Bureau for the Care of Refugees (BCR) reports that, as of October 31, 2008, there were still 16,210 IDPs from Kosovo residing in Montenegro, including:

-Montenegrins	5,336
-Serbs	4,016
-Roma	3,027
-"Egyptians"	1,383
-Muslims	1,471
-Albanians	427
-Bosniaks	256
-Others	318

The Problem With Returns...

¶6. (SBU) Contacts such as BCR Director Zeljko Sofranac, UNHCR Director Serge Ducasse, representatives of the NGO "Legal Center" (an implementing partner of UNHCR) and a number of refugees themselves have told us that the overall security

PODGORICA 00000037 002.2 OF 003

situation in Kosovo, coupled with the lack of freedom of movement there and limited access for employment, housing, and land continue to affect the prospects for sustainable return to Kosovo. Many IDPs also complain that property restitution remains a major problem.

¶7. (SBU) The BCR says that 2,400 IDPs have left Montenegro since 2001, but a sizeable number of this total apparently consisted of Serbs moving to Serbia. UNHCR figures show that, since 2001, a total of 1,372 Roma, Ashkaeli (an ethnic group similar to Roma), and Egyptians (collectively referred to as "RAE") returned to Kosovo through programs organized mainly by UNHCR and the Danish Refugee Council. According to the UNHCR, 93 RAE IDPs returned to Kosovo in 2008.

Integrating Or Not Into Montenegrin Society

¶8. (SBU) According to the BCR, the vast majority of Kosovo IDPs live in the municipalities of Podgorica, Berane, and Bar. By all accounts, their integration into Montenegrin society has been problematic. Ethnic Montenegrins and Serbs have fared the best, as many have relatives in Montenegro. (There are more than a dozen small Serb refugee organizations in Montenegro which advocate on the behalf of Serb IDPs.)

¶9. (SBU) The situation for RAE IDPs is particularly dire. While

some 95 percent of all Kosovo IDPs live in private dwellings, the overwhelming majority of the five percent still in collective centers are RAE. The more than 1,000 RAE inhabitants of Konik Camp, on the outskirts of Podgorica, live in abject poverty, many without running water and toilets.

GoM Strategy

¶10. (SBU) In 2003, the GoM adopted a National Strategy for Resolving the Problems of Displaced People, which was succeeded by another Strategy for the 2005-2008 period. The latest Strategy outlines the responsibilities of government offices and agencies dealing with IDPs and refugees, and the GoM provides some funds for shelter, social programs, education, and health care. The GoM also facilitates IDP access to assistance from domestic and international humanitarian organizations. However, UNHCR representatives and a number of IDPs have told us that they believe the overall conditions of life for most Kosovo IDPs have not significantly changed since the initial Strategy was adopted.

Legal Limbo Complicates Picture

¶11. (SBU) In 1998 and 1999, the GoM first registered Kosovo IDPs under an ad hoc emergency measure. The Montenegrin Commissariat for Refugees (MCDP), now known as the Bureau for the Care of Refugees (BCR), has responsibility for the IDP caseload. The BCR has conducted a series of registration exercises aimed at renewing or revoking IDP status; the last of these occurred in ¶2003.

¶12. (SBU) Under current arrangements, an IDP's status entitles him to stay temporarily in Montenegro (as long as he remains registered). IDPs can work, send their children to Montenegrin schools, and access government health care. But in general, IDPs face considerable difficulties. Employers must pay a tax of 2.50 euros per day for their services, and under the Law on Employment of Aliens (which entered into force in January 2009), IDPs fall under stringent foreign worker quotas which further limit their employment. IDPs also lack full and consistent

PODGORICA 00000037 003.2 OF 003

access to health insurance and social welfare benefits and do not enjoy full property rights.

Re-Registration Envisioned

¶13. (SBU) BCR Director Sofranac told us January 14 that preparations for another IDP re-registration exercise have been underway since December 2008. He said that the process will begin in March of this year and conclude in May.

¶14. (SBU) Sofranac commented that the re-registration drive could reduce the total number of IDPs, as some people may not

qualify, while others may "graduate" to other legal categories. However, he said that those individuals who retain their IDP status following re-registration will be able to apply for temporary residence status, offering a path to eventual citizenship, provided they declare their preference for settling in Montenegro.

Comment

115. (SBU) Almost a decade after the fighting ended in Kosovo, the fate of the 16,000 Kosovo refugees still in Montenegro remains unclear. Recent discussions between the Montenegro and Kosovo governments on this issue are a positive sign, but refugee returns are still difficult, and a quick solution is unlikely. The future legal status of the IDPs may become clearer once the GoM's latest re-registration process is completed. However, while the GoM's promise to consider temporary resident status could represent a step forward, international officials believe the BCR's timeline is unrealistic and may not permit full consideration of each claim.
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